

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Gerhard Schanz
Serial No.: 10/563,354
Filed: 05/18/2006
Group Art Unit: 1797
Examiner: Katherine M. Zalasky
Title: Extraction Process Using a Static Micromixer

RESPONSE TO NOTICE OF NON-COMPLIANT APPEAL BRIEF

Mail Stop Appeal Brief - Patents
Commissioner for Patents
Board of Patent Appeals and Interference
PO Box 1450
Alexandria, Virginia 22313-1450

Sir:

This communication is in response to the Notice of Non-Compliant Appeal Brief mailed 12 January 2011. The Notice indicates that EVIDENCE and RELATED PROCEEDINGS pages were not submitted with the Appeal Brief filed 17 December 2010.

In response, Appellant submits herewith EVIDENCE and RELATED PROCEEDINGS pages as well as a revised TABLE OF CONTENTS page reflecting the addition of the pages omitted from the Appeal Brief filed 17 December 2010.

Respectfully Submitted
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<div style="margin-left: 20px;">A. Claims 1-23:</div> <div style="margin-left: 40px;">One of ordinary skill would have no doubt as to the metes and bounds of claims 1-23 or the meaning of “not in contact with.”8</div>	
<div style="margin-left: 20px;">B. Claims 1, 20, and 22</div> <div style="margin-left: 40px;">1. The Examiner has not established, prima facie, that the artisan would have found the claimed invention obvious in light of the teachings of the cited references because the references, neither individually nor in combination, teach or suggest a linking channel that is divided once into more than two part channels.11</div> <div style="margin-left: 40px;">2. The Examiner has not established, prima facie, that the artisan would have found the claimed invention obvious in light of the teachings of the cited references because the references, neither individually nor in combination, teach or suggest a linking channel</div>	

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3. The Examiner has not established, prima facie, that the artisan would have found the claimed invention obvious in light of the teachings of the cited references because one of ordinary skill in the art would not have been motivated to modify the static micromixer taught by Schubert according to the teachings of Ehrfeld.	18
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X. EVIDENCE APPENDIX:

NONE

XI. RELATED PROCEEDINGS APPENDIX:

NONE